IN THE SUPREME COURT OF WASHINGTON

CITY OF SHORELINE, a Municipal Agency; and **DEPUTY MAYOR MAGGIE FIMIA**, individually and in her official capacity,

Appellants,

v.

DOUG AND BETH O'NEILL, individuals,

Respondents

FOURTH STATEMENT OF ADDITIONAL AUTHORITY

Allied Law Group, LLC
Michele Earl-Hubbard
David Norman
Chris Roslaniec

2200 Sixth Avenue, Suite 770
Seattle, WA 98121
(206) 443-0200

Law Offices of Michael Brannan
Michael Brannan

555 Dayton St., Suite H
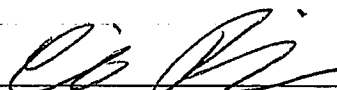Edmonds, WA 98020
(425) 774-7500

Pursuant to RAP 10.8, Respondents Doug and Beth O'Neill

("O'Neill") submit the following as additional relevant authority for their

Supplemental Brief: **Matter of Irwin v. Onondaga County Resource**

Recovery Agency, 72 A.D.3d 314, 895 N.Y.S.2d 262 (2010) (holding

petitioner's request for "'[a]ll computer records that are associated with

published [photographs] in all OCRRA publications . . . for the years

2005, 2006, and 2007' included a demand for the metadata associated with

those images" to which petitioner was entitled under New York's freedom

of information law "FOIL".).

The specific section of Respondents' Supplemental Brief where

Irwin supports the arguments made therein is:

- **Section III, Part A, Sub-part 3** (discussing how a search of Ms.
  Fimia's computer hard drive would not impose an additional
  burden upon agencies and that the City violated the PRA by failing
  to conduct an adequate search for the requested email).

- **Section III, Part A, Sub-part 4** (discussing the alleged additional
  burden on agencies to preserve metadata) (pages 7-8);

- **Section III, Part C** (discussing issues related to the electronic
  versions of public records and the metadata embedded within
  them) (pages 13-22).

Respectfully submitted this 12th day of August, 2010

By: _____

Michele Earl-Hubbard, WSBA #26454
David M. Norman, WSBA #40564
Chris Roslaniec, WSBA #40568
2200 Sixth Avenue, Suite 770
Seattle, WA 98121

ALLIED
LAW GROUP

CERTIFICATE OF SERVICE

I certify under penalty of perjury under the laws of the State of

Washington that on August 12, 2010, I caused the delivery of a copy of

the foregoing Fourth Statement of Additional Authority to the following

by the method indicated:

By email pursuant to agreement and by U.S. Mail:

Flannary P. Collins
Attorney for Appellant City of Shoreline
City Attorney's Office
17544 Midvale Avenue North
Shoreline, WA 98133

Ramsey Ramerman
Attorney for Appellant Maggie Fimia
2930 Wetmore Ave
Everett, WA 98201-4067

James Beck
Gordon Thomas Honeywell
1201 Pacific Avenue, Suite 2100
P.O. Box 1157
Tacoma, WA 98401-1157

William John Crittenden
927 N. Northlake Way, Suite 301
Seattle, WA 98103

Gary T. Smith
Seattle City Attorney's Office
P.O. Box 94769
Seattle, WA 98124

Patrick Denis Brown
6112 24th Avenue N.E.
Seattle, WA 98115

Alan D. Copsey
Deputy Solicitor General
PO Box 40100
Olympia, WA 98504-0100

Dated this 12th day of August 2010 at Seattle, Washington.

Chris Roslaniec

OFFICE RECEPTIONIST, CLERK

To: Chris Roslaniec
Subject: RE: City of Shoreline v. O'Neill

Received 8-12-10

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

From: Chris Roslaniec [mailto:chris@alliedlawgroup.com]
Sent: Thursday, August 12, 2010 4:09 PM
To: OFFICE RECEPTIONIST, CLERK
Cc: 'fcollins@shorelinewa.gov'; 'ramseyramerman@gmail.com'; 'RRamerman@ci.everett.wa.us'; 'mgbrannan@seanet.com'; 'William Crittenden (wjcrittenden@comcast.net)'; 'Gary.Smith@seattle.Gov'; 'brownp@seattleu.edu'; Michele Earl-Hubbard; 'jbeck@gth-law.com'; 'alanc@atg.wa.gov'
Subject: City of Shoreline v. O'Neill

Please see for filing on behalf of Beth and Doug O'Neill, the attached Statement of Additional Authority for City of Shoreline v. O'Neill, No. 82397-9.

Thank you,
Chris Roslaniec, WSBA No. 40568
chris@alliedlawgroup.com
206-443-0202

Chris Roslaniec

ALLIED
LAW GROUP

2200 Sixth Avenue, Suite 770
Seattle, WA 98121
(206) 443-0202 (office)
(206) 428-7169 (fax)
www.alliedlawgroup.com

1